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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 14

Serial Number: 08/923,612
Filing Date : 4 September 1997
Appellant(s) : SETHURAMAN SURESH et al.,

MAILED

SEP 1 8 2000

Group 2700

John A. Smart
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed

24 August 2000.

(1) Real Party in Interest

A statement identifying the real party in interest in

contained in the brief, page 3.

(2) Related Appeals and Interferences

A statement identifying the related appeals and

interferences which will directly affect or be directly affected

by or have a bearing on the decision in the pending appeal is

contained in the brief, page 3.

(3) *Status of claims.*

The statement of the status of claims 1-25 and 27-30 contained in the brief is correct.

(4) *Status of Amendments After Final.*

The appellant's statement of the status of amendments in response to the first Office Action and response after the second Office Action(final rejection) contained in the brief is correct.

(5) *Summary of invention.*

The summary of invention contained in the brief is correct.

(6) *Issues.*

Examiner agree with the issues set forth in the appellant's Appeal Brief that the issue of rejection of (a)Claims 1-13 under U.S.C 103(a) as being unpatentable over US Patent No. 5727202 to Kucala further in view of U S Patent No. 5832487 to Olds et al., [hereafter Olds];(b) Claims 14-20 under 35 U.S.C. 103(a) as being unpatentable over Kucala, US Patent No. 5727202, Olds et al., [hereafter Olds], US Patent No.5832487 as applied to claim 1 above, and further in view of Buchanan, US Patent No. 5758355; (c) Claims 21-25, 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyering, US Patent No. 5729735, and further in view of Olds, US Patent No. 5832487.

(7) *Grouping of claims.*

Examiner does not agree Grouping of Claims with the Applicant because Claims 18-20 are not grouped. Examiner would group Claims 18-20 with the Group I as they are rejected by the same art.

Appellant's brief includes a statement that the rejected claims do not stand or fall together. The reasons as to why Appellant believes the claims to be separately patentable are set forth in the Argument section of this Brief.

(8) *Claims appealed.*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of record.*

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,727,202	Kucala	10 Mar. 1998
5,832,487	Olds et al.,	3 Nov. 1998
5,758,355	Buchanan	26 May 1998

(10) *New prior art.*

No new prior art has been applied in this examiner's answer.

(11) *Grounds of rejection.*

The following ground(s) of rejection are applicable to the appealed claims:

1.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kucala, US Patent No.5727202, further in view of Olds et al.,[hereafter Olds], US Patent No. 5832487.

2.   As to Claim 1, Kucala teaches a system which including 'a system providing one dataset in communication with another dataset, a method for synchronizing datasets' [col 1, line 8-10], 'receiving a request specifying synchronization of information records of a source dataset with information records of a target dataset' [fig 1, col 2, line 66-67, col 3, line 1-9], examiner interpreting source dataset to be equivalent to Kucala's fig 1, element 101, target dataset to be equivalent to Kucala's fig 1, element 201, 'determining which, if any, information records have been previously transmitted to the target dataset but no longer exists at the source dataset' [col 3, line 6-9, line 35-53], 'determining which, if any, information records have been added to or modified at the source dataset since the source dataset was

last synchronized with the target dataset' [col 3, line 6-9, line
35-63], 'synchronizing information records of the source dataset
with information records of the target dataset' [col 3, line 54-
63]. Kucala does not teach 'source dataset is assigned a
globally unique identifier that is independent of either of the
devices for identifying said each information record at both
source dataset and the target dataset' , 'globally unique
identifier being maintained', globally unique identifier to be
traced back to a specific information record regardless of which
device the specific information record resides', 'globally unique
identifiers, deleting from the target dataset any information
records which have been previously transmitted to the target
dataset but no longer exist at the source dataset', 'using said
globally unique identifiers, updating the target dataset so that
said target dataset includes those information records determined
to have added to or modified at the source dataset since the
source dataset was last synchronized with the target dataset'.
Olds teaches a system which including 'source dataset' [col 3,
line 20-24], examiner interpreting source dataset to be
equivalent to Olds's file servers, element 16, 'source dataset is
assigned a globally unique identifier that is independent of
either of the devices for identifying said each information
record at both source dataset and the target dataset'[col 3, line

25-30, col , col 6, line 64-67], 'at both source dataset and the target dataset' [col 3, line 42-45], examiner interpreting target dataset to be equivalent to Olds's Clients, element 20, 'globally unique identifier being maintained' [col 8, line 17-19], globally unique identifier to be traced back to a specific information record regardless of which device the specific information record resides' [col 8, line 24-34] 'globally unique identifiers' [col 3, line 54-57], deleting from the target dataset any information records which have been previously transmitted to the target dataset but no longer exist at the source dataset' [col 10, line 7-14, line 19-28], 'using said globally unique identifiers, updating the target dataset so that said target dataset includes those information records determined to have added to or modified at the source dataset since the source dataset was last synchronized with the target dataset' [col 10, line 15-28].

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the concepts taught by Olds with the system of Kucala because globally unique identifiers allows to identify particular dataset or record to be update or modify, such an identifier is unique because it also contains a time stamp, eliminates duplicate records, chances of confusion over a conflict are greatly reduced, save time in later accesses or reorganization of that

datasets or records, thus improving the reliability and versatility of the system.

3.   As to Claim 2, Kucala teaches a system which including 'database table having a plurality of data records' [col 2, line 60-65].

4.   As to Claim 3, Kucala teaches a system which including 'each dataset comprises an electronic address book listing contact information' [col 2, line 63-65].

5.   As to Claim 4, Kucala teaches a system which including 'electronic schedule listing scheduling information' [col 2, line 60-61], examiner interpreting electronic schedule listing to be equivalent to Kucala's calendar files or to-do list.

6.   As to Claim 5, Olds teaches a system which including 'globally unique identifiers are created by the system' [col 2, line 45-47].

7.   As to Claim 6, Olds teaches a system which including 'globally unique identifiers are maintained in a record map stored apart from the source dataset' [col 2, line 45-47, col 6, line 32-39, fig 4].

8.   As to Claim 7, Olds teaches a system which including 'globally unique identifier for each record comprises a timestamp' [col 2, line 47-51].

9.   As to Claim 8, Olds does not detail a system which including 'each globally unique identifier is a 32-bit', although Olds details fixed length globally unique identifier' [col 2, line 47-51].

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use 32-bit globally unique identifier because one of skill in the art would realize the need to synchronizing of data files or data sets to the appropriate data files or data sets in the source/target, thus improving the versatility of the system.

10.   As to Claim 9, Kucala teaches a system which including 'synchronizing the information records of the target dataset with information records of the source dataset by designating the source dataset as the target dataset, designating the target dataset as the source dataset, and repeating said determining step and said synchronizing step' [col 3, line 10-19].

11.   As to Claim 10, Kucala teaches a system which including 'synchronization set comprises a delete order specifying particular information records to delete at the target dataset' [col 3, line 54-63].

12.   As to Claim 11, Olds details a system which including
`delete order includes a list of globally unique identifiers for
particular information records to delete at the target dataset'
[col 9, line 45-49, col 10, line 12-14].

13.   As to Claim 12, Kucala teaches a system which including
`synchronization set comprises an extraction record specifying
particular information to add to or modify at the target dataset'
[col 1, line 32-40].

14.   As to Claim 13, Olds teaches a system which including
`extraction record includes at least one globally unique
identifier together with field information for the particular
information to add to or modify at the target dataset' [col 4,
line 12-15].

15.   Claims 14-17 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Kucala, US Patent No. 5727202, Olds et al.,
[hereafter Olds], US Patent No.5832487 as applied to claim 1
above, and further in view of Buchanan, US Patent No. 5758355.

16. As to Claim 14, Kucala, and Olds do not teach 'excluding certain information records from participating in synchronization by applying a user-defined filter'. Buchanan details a system which including 'synchronization by applying a user-defined filter' [col 13, line 65-67, col 14, line 1-8], examiner interpreting user-defined filter to be equivalent to Buchanan's SQL or structure query language.

It would have been obvious to one of ordinary skill in the art the time of the applicant's invention to combine the concepts taught by Buchanan with the system of Kucala and Olds because, excluding certain records or files allows synchronization faster, thus improves the responsiveness of the system.

17. As to Claim 15, Buchanan details a system which including 'user-defined filter comprises an outbound filter applied to information records prior to creation of the synchronization set' [col 17, line 49-67], examiner interpreting outbound filter to be equivalent to delete operation.

18. As to Claim 16, Buchanan details a system which including 'user-defined filter comprises an inbound filter applied to information records after creation of the synchronization set' [col 13, line 46-58, col 17, line 49-67], examiner interpreting inbound filter to be equivalent to add or update operation.

19. As to Claim 17, Buchanan details a system which including

'user-defined filter comprises a user-supplied filtering routine

supplying filtering logic' [col 13, line 2-8], examiner

interpreting filtering logic to be equivalent to SQL statements.

20. As to Claim 18, Olds details a system which including

'target dataset resides at a remote location relative to the

source dataset' [col 5, line 22-30, line 35-40].

21. As to Claim 19, Kucala details a system which including

'after creating the synchronization set, transmitting said

synchronization set to said remote location'

[col 2, line 66-67, col 3, line 1-7].

22. As to Claim 20, Olds details a system which including '

electronic Messaging communication protocol' [col 5, line 6-21].

23. Claims 21-25, 27-30 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Meyering, US Patent No. 5729735, and

further in view of Olds, US Patent No. 5832487.

24. As to Claim 21, Meyering teaches a system which including

'connecting a first device having a first dataset to a second

device having a second dataset' [fig 3], examiner interpreting

first device to be equivalent to Meyering's master computer,

element 102, first dataset to be equivalent to Meyering's master

file, element 116, second device to be equivalent to Meyering's

portable computer, element 128, second dataset to be equivalent
to Meyering's remote file, element 134, 'determining information
of said first and second datasets which requires synchronization'
[col 4, line 61-67, col 5, line 1-5], 'determining for each
dataset information which has been previously received from the
other dataset but which no longer exists at the other dataset'
[col 5, line 6-15], 'determining for each dataset information
which has been added or modified at the other dataset since the
other dataset was last synchronized with said each dataset'
[col 5, line 16-30, fig 5A-5C], 'responsive to said determining
means, for synchronizing said first and second datasets' [col 5,
line 59-67, col 6, line 1-19], however, Meyering does not teach
'assigning to each data record a globally unique identifier'.
Olds teaches a system which including 'assigning to each data
record a globally unique identifier' [col 2, line 45-46].

25. As to Claim 22, Meyering teaches a system which including
'at least one of said devices is a handheld computing device'
[col 1, line 66-67, col 2, line 1-2], examiner interpreting
handheld computing device to be equivalent to Meyering's portable
computer, fig 2, element 128.

26. As to Claim 23, Meyering teaches a system which including
'at least one of said devices is desktop computing device' [fig
2, col 3, line 47-53], examiner interpreting desktop computer

device to be equivalent to master computer, fig 3, element 102.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the concepts taught by Olds with the system of Meyering because globally unique identifiers allows to identify particular dataset or record to be update or modify, such an identifier is unique because it also contains a time stamp, eliminates duplicate records, chances of confusion over a conflict are greatly reduced, save time in later accesses or reorganization of that datasets or records, thus improving the reliability and versatility of the system.

27. As to Claim 24, Meyering does not specifically teaches a system which including 'transmission control protocol/Internet protocol (TCP/IP) connection', although Meyering teaches communication link [col 3, line 57-63, fig 1, element 126], however, Olds teaches a system which including 'transmission control protocol/Internet protocol (TCP/IP) connection' [col 5, line 17-21].

28. As to Claim 25, Meyering teaches a system which including 'synchronizing operates to provide bi-directional synchronization of the datasets' [fig 4, col 3, line 38-40].

29. As to Claims 27-29, Meyering teaches a system which

including ` filter means for selectively blocking synchronization

of certain types of information' [col 4, line 35-50].

30. As to Claim 30, Olds teaches a system which including

`electronic mail transport means for enabling synchronization of

remote datasets' [col 6, line 49-53], examiner interpreting

electronic mail is part of Olds network element 10's Internet or

intranet.

(12) *New ground of rejection.*

This Examiner's Answer contains no new grounds of rejection.

(13) *Response to Argument.*

At page 9, line 25-27 Appellant argues "This is quite different from the data records undergoing synchronization in Appellant's system, where a given data record -- in an original (native) format or data structure -- is transferred from an original device e.g., handheld Palm device) to a totally-different target device (e.g., desktop computer) -- one that does not support that original format" .

Examiner disagree to this contention firstly examiner cannot find either original format or data structure in the clam language, secondly, examiner cannot understand what is meant by original device and cannot find in the claim language, however, independent Claim is directed to for example first device and second device. More specifically Olds teaches for example personal computers element 22, laptops element 24 and workstations element 26 see figure 1, different devices includes several file servers element 16, are connected in a network 10 [see col 5, line 23-30, line 35-36], therefore, using different source and target devices are inherent aspect of Olds invention.

Applicant's arguments based on the specification, not in the claim language.

At page 10, line 19-21, Appellant argues that Appellants'
claim 1 requires that 'each information record of the source
dataset is assigned a globally unique identifier that is
independent of either of the devices' Olds teaches 'each
information record of the source dataset is assigned a globally
unique identifier that is independent of either of the devices'
[see col 3, line 25-30, col 6, line 64-67].

At page 11, line 26-28, Appellant argues 'Appellants'
invention allows proper synchronization to be carried out across
multiple dissimilar devices in a convenient, transparent manner'

Applicant's arguments based on the specification, not in the
claim language. Olds teaches for example personal computers
element 22, laptops element 24 and workstations element 26 see
figure 1, different devices includes several file servers element
16, are connected in a netowork 10 [see col 5, line 23-30, line
35-36], threfore, using dissimilar devices are inherent aspect of
Olds invention.

At page 11, line 31, page 12, line 1-3, Appellant argues
that 'Nothing in Olds teaches or suggests that a system-dependent
naming approach methodology could be extended to support device-
independent synchronization capability. Olds, for its part,
teaches use of a system-dependent naming scheme that expressly
eschews use of GUIDs'

Examiner disagree to this contention because in Olds invention, Olds uses different devices in a network for example personal computers element 22, laptops element 24 and workstations element 26 see figure 1, different devices includes several file servers element 16, are connected in a netowork 10 [see col 5, line 23-30, line 35-36], Olds also teaches GUIDs, one of the ordinary skill in the art to know not only to use GUIDs in system dependent but also support device-independent approach because GUID acts as an identification scheme in which unique identifier is associated with a particular device or object, also GUIDs identification are accepted across different platforms and applications.

At page 13, line 8-10, Appellant argues that 'Buchanan reference still fails to teach or suggest specific application of such a 'filter' in relation to creation of a synchronization set, as required by Appellant's claims'

Examiner disagree to this contention because in Buchanan teaches structure query language or SQL, examiner interpreting filter to be equivalent to Buchanan's structure query language or SQL [see page 13, line 3-19], also Buchanan teaches synchronization process [see fig 1], more specifically, Buchanan teaches structure query language in relation with synchronization of identified records [see col 13, line 46-58].

At page 13, line 25-29, Appellant argues that 'Group III, which consists of claims 21-25 and 27-30, includes the aforementioned claim limitations (or equivalent thereof) set for the above for the claims for Group I and, thus, are believed to be allowable over the art, for at least the reasons cited above pertaining to Olds as applied against the claims of Group I above (the discussion of which is hereby incorporated into this section by reference)'

As to Group III, applicant reference to the limitations and arguments of Group I, therefore, examiner refers to the responses of Group I.
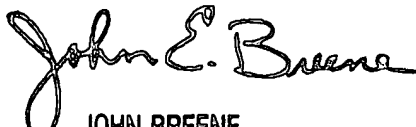
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Examiner: Channavajjala.S.

Art Unit: 2777

September 14, 2000.

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